

**Title 6 – Department of Higher Education
Division 10 – Commissioner of Higher Education
Chapter 2 – Student Financial Assistance Program**

PROPOSED AMENDMENT

6 CSR 10-2.100 Public Safety Officer or Employee's Child Survivor Grant Program. The commissioner is amending sections (1), (3), and (5).

PURPOSE: This amendment updates gender-specific language, clarifies the eligibility of public safety officers who are certified volunteers, as well as the eligibility of children and spouses, clarifies the maximum award policy, adds a policy for regaining eligibility after it is lost for failure to maintain satisfactory academic progress, and clarifies the award disbursement and delivery policy.

(1) Definitions.

(F) Full-time student means a student who is enrolled in at least twelve (12) semester hours, eight (8) quarter hours, or the equivalent in another measurement system, but not less than the number sufficient to secure the certificate or degree toward which the student is working in no more than the number of semesters or their equivalent normally required by the institution for the program in which the student is enrolled, provided, however, that an otherwise eligible student having a disability as defined by the Americans with Disabilities Act (42 U.S.C. 12101-12213) who, because of *[his or her]***the student's** disability, is unable to satisfy the statutory minimum requirements for full-time status under Title IV student aid programs shall be considered by the approved institution to be a full-time student and shall be considered to be making satisfactory academic degree progress, as defined in subsection (1)*[(N)](M)* of this rule, while carrying a minimum of six (6) credit hours or their equivalent at the approved institution.

[(H) His, him, or he shall apply equally to the female as well as the male sex in this rule.]

[(I)](H) Institution of postsecondary education or approved institution shall be any private or public institution located in Missouri that meets the requirements set forth in section 173.1102(2) or (3), RSMo.

[(J)](I) Line of duty shall mean any action of an employee directly connected to their employment with the Department of Transportation, or of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, and who is authorized or obligated by law, rule, regulation, or condition of employment or service to perform such function.

[(K)](J) MDHE means the Missouri Department of Higher Education created by section 173.005, RSMo.

[(L)](K) Permanent and total disability shall mean a disability which renders a person unable to engage in any gainful work.

[(M)](L) Public safety officer shall be any firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer, or highway patrolman employed by the state of Missouri or a political subdivision thereof, **including an individual serving in any such capacity as a certified volunteer**, who is killed or permanently and totally disabled in the line of duty.

~~[(N)]~~**(M)** Satisfactory academic progress shall be determined by the approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965.

~~[(O)]~~**(N)** Similar program funds shall be need-based funds an applicant receives under any federal or state grant aid programs.

~~[(P)]~~**(O)** Spouse shall mean the husband, wife, widow, or widower of a public safety officer or employee at the time of death or permanent and total disability of such public safety officer or employee.

~~[(Q)]~~**(P)** Survivor grant or grant shall mean the public safety officer or employee survivor grant as established by section 173.260, RSMo.

~~[(R)]~~**(Q)** Tuition or incidental fee shall be the amount charged for nondesignated and unrestricted fees by an institution of postsecondary education for an applicant to attend full-time at that institution as a resident of the state of Missouri.

(3) Eligibility Policy.

(A) To be eligible for grant assistance under the survivor grant program, an applicant must meet the following conditions:

1. Be a citizen or permanent resident of the United States;
2. Be a resident of Missouri;
3. Be an eligible child or spouse of a public safety officer or **an eligible child of an** employee who was killed or permanently and totally disabled in the line of duty; or be a public safety officer who was permanently and totally disabled in the line of duty;
4. Be enrolled or accepted for enrollment as a full-time undergraduate student in a course of study leading to a certificate or an associate or baccalaureate degree at an approved institution for the period of the grant;
5. Maintain satisfactory academic progress in ~~[his]~~**the applicant's** course of study, according to standards determined by the approved institution; and
6. Complete an application for grant assistance according to the provisions of this rule.

(C) Grant assistance shall be allotted for one (1) academic year, but an applicant shall be eligible for renewed assistance until ~~[he has obtained]~~**receipt of** a baccalaureate degree or, only in the case of an applicant who is an eligible child, has reached age twenty-four (24) years, whichever occurs first, except that the applicant may receive such grant assistance through the completion of the semester or similar grading period in which the eligible child reaches ~~[his twenty-fourth year]~~**twenty-four (24) years of age**.

(5) Award Policy.

(A) The maximum survivor grant program award amount for each applicant per academic year shall be the lesser of the actual tuition and incidental fees charged at the approved institution ~~[(maximum twelve (12) credit hours)]~~ where the applicant is enrolled or accepted for full-time enrollment; or the amount of tuition and incidental fees charged a Missouri undergraduate resident enrolled full-time (maximum twelve (12) credit hours) ~~[in the same class level (freshman, sophomore, junior, senior) and in the same academic major of the applicant]~~ at the University of Missouri – **Columbia**.

(D) An applicant who has been denied a survivor grant award for lack of satisfactory academic progress may not receive another survivor grant award until the enrollment period after the applicable standard has once again been met.

[(D)](E) Award amounts will be calculated and issued for each semester of enrollment in a given academic year and will be disbursed to the approved institution.

[(E)](F) Awards will not be made for periods of enrollment during the summer term(s).

[(F)](G) An applicant may change *[his]***the** approved institution choice prior to the beginning of the first day of classes and may transfer between approved institutions during the academic year. A new application is required to transfer the award. Failure to notify the MDHE by these dates of the change may result in loss of the award.

[(G)](H) Award notifications will be sent to applicants by the MDHE once applications have been approved and the awards have been determined. Notification of awards also will be sent to the student financial aid office at the approved institution in which the applicant plans to or has enrolled.

[(H)](I) The applicant's award will be sent to the approved institution to be *[endorsed by the applicant]***delivered to the applicant's account**. The institution shall retain the portion of the award that the student owes for expenses and promptly give the applicant any remaining funds.

AUTHORITY: section 173.260, RSMo [2000]Supp. 2013. Original rule filed April 29, 1988, effective July 28, 1988. Amended: Filed May 27, 1999, effective Jan. 30, 2000. Amended: Filed Feb. 20, 2009, effective Aug. 30, 2009. Amended: Filed June 15, 2016.*

**Original authority: 173.260, RSMo 1987, amended 1998.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Kelli Reed, Missouri Department of Higher Education, P.O. Box 1469, Jefferson City, MO 65102-1469 or kelli.reed@dhe.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*